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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,071	09/30/2003	Peter HN Tran	66329/31282	5069
23380 7590 11/29/2007 TUCKER ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1414			EXAMINER ROBINSON, MYLES D	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 11/29/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/675,071	Applicant(s) TRAN ET AL.	
	Examiner Myles D. Robinson	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/30/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The examiner has considered the references listed in the Information Disclosure Statement (IDS) submitted on 9/30/2003 (see attached PTO-1449).

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference number 510 in Fig. 5.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(1) and 1.84(p)(3) because they include the following reference character(s) which are not clearly legible and interfere with the comprehension of drawings: reference characters 106, 108, 110 and 112 in Fig. 1. It is suggested that Fig. 1 be revised to extend lines to said reference characters in accordance to 37 CFR 1.84(l) where the background is white instead of the shaded background to avoid obscurity.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be

labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 3 and 12 – 20** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 13 recite the limitation "the removable data storage" in line 1 of each respective claim. There is insufficient antecedent basis for this limitation in the claim.

6. **Claims 12 – 20** recite the limitation "the method of claim 11" in line 1 of each respective claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1 – 20** are rejected under 35 U.S.C. 102(e) as being anticipated by **Blair et al.** (U.S. Pre-Grant Publication No. 2002/0075524).

Referring to **claim 11**, Blair discloses a system for processing a document from a portable data storage device, comprising:

means adapted to receiving an associated portable data storage device (see *Figs. 1A – 1B, digital slots 152, 154 and USB connector 156 [paragraphs 0018 – 0019, 0026 – 0027 and 0046]*) into a document rendering device (see *Fig. 2, step 14 wherein removable media are received and detected within scanner body 150 [paragraph 0048]*), the portable data storage device inclusive of at least one electronic document stored in a native application format from which it was generated (see *Figs. 2 – 4, step 26 wherein selection of images stored in removable media launches the appropriate applet [i.e. application] [paragraphs 0048 and 0050] and wherein pressing any of buttons 52, 54, 56 [see also Fig. 1, buttons 160] launches the appropriate application for selected image, such as PhotoWorks [paragraph 0052]*),

means adapted to receiving administrative data representative of document processing privilege (see *Fig. 5 wherein the user downloads Special Offer applet 96 which dictates the type(s) of document processing the consumer may have access to use [e.g. a free set of up to 24 4"x6" prints for first time customers] [paragraphs 0057 – 0059]*),

means adapted to selectively activating, in accordance with received administrative data, a document processing service associated with the document rendering device upon insertion of the portable data storage device (*see Fig. 5 wherein the Special Offer applet 96 activates a document processing service associated with the user's image(s) selections [e.g. a free set of up to 24 4"x6" prints for first time customers] [paragraphs 0057 – 0059],*

means adapted to generating a user prompt (*see Fig. 4 wherein button configuration and user preference applications module 86 assigns functionality of buttons 160 as shown in Fig. 1A – 1C [paragraphs 0053 and 0055 – 0056] and generates screen 140 as shown in Fig. 8 to alternatively provide a convenient on-screen view of the hardware buttons to use along with a mouse [paragraphs 0043, 0055 and 0064]) as to document processing options associated with the portable data storage device (paragraphs 0030, 0046 and 0066 wherein hardware buttons 160, which also may be viewed and selected via a screen and mouse, provide document processing options [i.e. copy/print, fax, e-mail, OCR, scan, etc.] of images stored in removable media), and*

means adapted to receiving user input as to at least one selected document processing option to be performed on the at least one file (*see Figs. 2 – 5, step 26 [paragraphs 0048, 0050 and 0057]).*

Referring to **claim 12**, Blair discloses the system further wherein the document processing options are displayed on a menu on a display console located on the document rendering device (*paragraphs 0030, 0046 and 0066 wherein hardware*

buttons 160, which also may be viewed and selected via a screen and mouse, provide document processing options [i.e. copy/print, fax, e-mail, OCR, scan, etc.] of images stored in removable media).

Referring to **claim 13**, Blair discloses the system further wherein the removable data storage device is a universal serial bus data storage device (*see Figs. 1A – 1B wherein scanner body 150 supports digital film readers through USB connector 156 [paragraphs 0018 – 0019, 0026 – 0027 and 0046]*).

Referring to **claims 14 – 16**, Blair discloses the system further wherein the document processing option is an electronic mail request, a facsimile request and a print request, further comprising:

means adapted to displaying a menu of at least one action corresponding to the document processing option (*paragraphs 0030, 0046 and 0066 wherein hardware buttons 160, which also may be viewed and selected via a screen and mouse, provide document processing options [i.e. copy/print, fax, e-mail, OCR, scan, etc.] of images stored in removable media*),

means adapted to selecting one of the at least one action displayed (*paragraphs 0030, 0046 and 0066 wherein hardware buttons 160, which also may be viewed and selected via a screen and mouse, provide document processing options [i.e. copy/print, fax, e-mail, OCR, scan, etc.] of images stored in removable media*), and

means adapted to performing the document processing option in accordance with the selected at least one action (*paragraphs 0030 and 0046*).

Referring to **claims 17 and 18**, Blair discloses the system further comprising means adapted to selecting processing parameters associative of the document processing options, wherein the processing parameters are image medium parameters (see Fig. 7 wherein crop 120, rotation buttons 122, "Print Size" selection box 126 are analogous to document processing options associated with image medium parameters [paragraph 0063]).

Referring to **claims 17 and 19**, Blair discloses the system further comprising means adapted to selecting processing parameters associative of the document processing options, wherein the processing parameters are image transmission parameters (paragraphs 0030, 0046 and 0066 wherein hardware buttons 160, which also may be viewed and selected via a screen and mouse, provides an array of options for transmitting image data; specifically, 1) an e-mail option which transmits image data via a network (e.g. LAN, WAN, Internet, etc.) in an electronic mail format, 2) a fax option which transmits image data via a telephone network in a facsimile format, or 3) a print option which transmits image data via a LAN/WAN in a print-ready format).

Referring to **claims 17 and 20**, Blair discloses the system further comprising means adapted to selecting processing parameters associative of the document processing options, wherein the processing parameters are image output location parameters (paragraphs 0030, 0046 and 0066 wherein providing an image output location, such as the e-mail address(es) or telephone number(s) of the recipient(s), is inherent and well-known in the art of electronic mail and facsimile transmission).

Referring to **claims 1 – 10**, the rationale provided in the rejections of claims 11 – 20, respectively, are incorporated herein. In addition, the systems of claims 11 – 20 perform the methods of claims 1 – 10, respectively.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Margalit et al. (U.S. Patent No. 6,763,399) disclose a USB key apparatus for interacting with a USB host via a USB port for controlling the transfer of data between the USB interface and the smart card chip, for converting data from a USB format to the format of the smart card chip and for converting data from the format of the smart card chip to a USB format (*see Abstract and Figs. 1 – 2*).

Lin et al. (U.S. Pre-Grant Publication No. 2003/0182456) disclose a portable peripheral apparatus with an embedded storage module connected via a USB interface (*see Abstract and Figs. 2 - 4*).

Iwaki et al. (U.S. Patent No. 5,043,762) disclose a copy system including an IC card insertion portions formed on the copying machine wherein the IC card is inserted to the copying machine and the copying information is led from the inserted IC card to the copying machine such that a copy image of an original is formed in accordance with the copy condition information read out from the IC card (*see Abstract and Figs. 1, 3 and 19 – 21*).

Nagashima (U.S. Patent No. 4,719,516) discloses an image processing apparatus, such as a copier, in which the information concerning image processing, particularly the program for sequence control is stored in a non-volatile memory detachable from the apparatus (*see Abstract and Figs. 1 – 2 and 7 – 9*).

Yao (U.S. Patent No. 6,385,677) discloses a dual interface memory card and adaptor including a USB interface which is a high-speed and convenient way for connecting to a computer whereby the computer is able to read data from and write data to the memory unit (*see Abstract and Figs. 2, 3 and 6 – 7*).

Higashio et al. (U.S. Patent No. 4,990,954) disclose an image forming apparatus having a detachable data storage unit which selectively loads data of a specific mode from data of a plurality of modes stored in the memory unit such that the apparatus is capable of readily loading data of the desired mode from memory (*see Abstract and Figs. 3 and 5 – 6*).

Kikkawa (U.S. Patent No. 5,260,742) discloses an electrophotographic copying machine using a memory card in which copying condition data such as copying quantity and copying magnification set by an operator can be stored and displayed (*see Abstract and Figs. 3 – 4*).

Itoh (U.S. Patent Nos. 5,923,437 and 7,095,525) discloses an image processing apparatus wherein when reading image data stored on a detachable storage medium and outputting the data using an image outputting device, data regarding modes in which the image data is to be output is stored in advance on a storage medium by another device which is different from the image outputting device (*see Abstract*).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

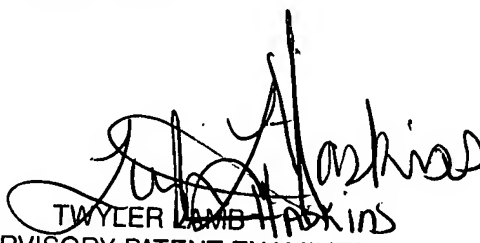
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MDR

11/20/07



TWYLER L. HASKINS
SUPERVISORY PATENT EXAMINER